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14 *Attorneys for Plaintiff,*
15 *Christopher Radney*

16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF ARIZONA

18 Christopher Radney, Case No.:
19 Plaintiff,

20 vs.
21 Experian Information Solutions, Inc., an
22 Defendant.

23 **COMPLAINT**

24 **JURY TRIAL DEMAND**

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6 NOW COMES THE PLAINTIFF, CHRISTOPHER RADNEY, BY AND
7 THROUGH COUNSEL, TRINETTE G. KENT, and for his Complaint against the
8 Defendant, pleads as follows:

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10 **JURISDICTION**

11 1. Jurisdiction of this court arises under 15 U.S.C. §1681p, 15 U.S.C. §1692k(d)
12 and 28 U.S.C. §§1331,1337.

13 2. This is an action brought by a consumer for violation of the Fair Credit
14 Reporting Act (15 U.S.C. §1681, *et seq.* [hereinafter “FCRA”]).

15
16 **VENUE**

17 3. The transactions and occurrences which give rise to this action occurred in the
18 City of Tempe, Maricopa County, Arizona.

19 4. Venue is proper in the District of Arizona, Phoenix Division.

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21 **PARTIES**

22 5. The Defendant to this lawsuit is Experian Information Solutions, Inc.
23 (“Experian”), which is an Ohio company that maintains a registered agent in
24 Maricopa County, Arizona.

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2 **GENERAL ALLEGATIONS**
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4 6. On or about April 3, 2015, Plaintiff obtained his Experian credit file and noticed
5 inaccuracies on several trade lines (“Errant Trade Lines”).
6
7 7. On or about May 13, 2015, Mr. Radney submitted a letter to Experian,
8 disputing the Errant Trade Lines.
9
10 8. On or about May 26, 2015, Mr. Radney received a letter from Experian, stating
11 that it received a suspicious request and determined that it was not sent by Mr.
12 Radney. Experian stated that it would not be initiating any disputes based on
13 the suspicious correspondence and that it would apply this same policy to any
14 future suspicious requests that it received.
15
16 9. Experian refused to investigate Mr. Radney’s dispute, in violation of the Fair
17 Credit Reporting Act.
18

19 **COUNT I**
20

21 **NEGLIGENT VIOLATION OF THE FAIR CREDIT REPORTING ACT**
22 **BY EXPERIAN**

23 10. Plaintiff realleges the above paragraphs as if recited verbatim.
24
25 11. Defendant Experian prepared, compiled, issued, assembled, transferred,
26 published, and otherwise reproduced consumer reports regarding Mr. Radney as
27 that term is defined in 15 USC 1681a.
28

12. Such reports contained information about Mr. Radney that was false, misleading, and inaccurate.

13. Experian negligently failed to maintain and/or follow reasonable procedures to assure maximum possible accuracy of the information it reported to one or more third parties pertaining to Mr. Radney, in violation of 15 USC 1681e(b).

14. After receiving Mr. Radney's consumer dispute to the Errant Trade Lines, Experian negligently failed to conduct a reasonable reinvestigation as required by 15 U.S.C. 1681i.

15. As a direct and proximate cause of Experian's negligent failure to perform its duties under the FCRA, Mr. Radney has suffered actual damages, mental anguish and suffering, humiliation, and embarrassment.

16. Experian is liable to Mr. Radney by reason of its violation of the FCRA in an amount to be determined by the trier fact together with his reasonable attorneys' fees pursuant to 15 USC 1681o.

WHEREFORE, PLAINTIFF PRAYS that this court grant him a judgment against Experian for actual damages, costs, interest, and attorneys' fees.

COUNT III

WILLFUL VIOLATION OF THE FAIR CREDIT REPORTING ACT BY EXPERIAN

17. Plaintiff realleges the above paragraphs as if recited verbatim.

18. Defendant Experian prepared, compiled, issued, assembled, transferred,
published, and otherwise reproduced consumer reports regarding Mr. Radney as
that term is defined in 15 USC 1681a.

19. Such reports contained information about Mr. Radney that was false, misleading, and inaccurate.

20. Experian willfully failed to maintain and/or follow reasonable procedures to assure maximum possible accuracy of the information that it reported to one or more third parties pertaining to Mr. Radney, in violation of 15 USC 1681e(b).

21. After receiving Mr. Radney's consumer dispute to the Errant Trade Lines,
Experian willfully failed to conduct a reasonable reinvestigation as required by
15 U.S.C. 1681i.

22. As a direct and proximate result of Experian's willful failure to perform its duties under the FCRA, Mr. Radney has suffered actual damages, mental anguish and suffering, humiliation, and embarrassment.

23. Experian is liable to Mr. Radney by reason of its violations of the FCRA in an amount to be determined by the trier of fact together with his reasonable attorneys' fees pursuant to 15 USC 1681n.

WHEREFORE, PLAINTIFF PRAYS that this court grant him a judgment against Experian for the greater of statutory or actual damages, plus punitive damages, along with costs, interest, and attorneys' fees.

JURY DEMAND

Plaintiff hereby demands a trial by Jury.

DATED: August 25, 2015

KENT LAW OFFICES

By: /s/ Trinette G. Kent
Trinette G. Kent
Attorneys for Plaintiff,
Christopher Radney

